

To: Sisk, Richard[Sisk.Richard@epa.gov]
From: David A. Cook
Sent: Thur 9/3/2015 4:52:44 PM
Subject: RE: Settlement Discussions
EPA.settle.draft1.docx

To get things started, here is a draft Settlement Agreement with the changes tracked.

David A. Cook
David A. Cook, P.C.
6 S Tejon St Ste 400
Colorado Springs, CO 80903
(719) 634-6736

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From: Sisk, Richard [mailto:Sisk.Richard@epa.gov]
Sent: Wednesday, September 02, 2015 2:35 PM
To: David A. Cook
Cc: Land, Kelcey; Madigan, Andrea; Rudy, Michael; McCaffrey, Shawn
Subject: RE: Settlement Discussions

Dave – Here is a copy of the current consent for access from Mr. Hennis.

Richard Sisk
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From: David A. Cook [<mailto:lawbydave@gmail.com>]
Sent: Wednesday, September 02, 2015 9:38 AM
To: Sisk, Richard
Subject: RE: Settlement Discussions

I understand that the EPA is beginning construction at Gladstone. Please send me the writing under which this construction is authorized.

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From: Sisk, Richard [<mailto:Sisk.Richard@epa.gov>]
Sent: Monday, August 31, 2015 3:13 PM
To: lawbydave@gmail.com
Cc: Madigan, Andrea; Rudy, Michael
Subject: Settlement Discussions

Dave – Good speaking with you this afternoon. To get discussions going, I am providing a link to one of EPA's model settlement documents. It is titled Cashout Settlement Agreement for Peripheral Party Settlements Not Based Upon Ability to Pay (CERCLA § 122(h) and AG Authority)

The link is http://cfpub.epa.gov/compliance/models/view.cfm?model_ID=536

This sort of settlement agreement may be appropriate for your clients situation and will give you an idea of where EPA and the US Department of Justice like to begin with settlement discussions.

Thanks

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